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Attorneys for TIMBERWORK, INC.
 (erroneously sued as "TIMBERWORK OREGON, INC."),
 JOAN L. SHUELL and EARL BLONDHEIM

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

MATSUNOKI GROUP, INC. dba HAIKU HOUSES,)	CASE NO. CV 08 4078 CW
)	
Plaintiff,)	JOINT STIPULATION TO CONTINUE
)	MEDIATION DEADLINE; ORDER
v.)	
)	
TIMBERWORK OREGON, INC.;)	Hon. Claudia Wilken
TIMBERWORK, INC.; JOAN L. SHUELL;)	
EARL MAURY BLONDHEIM; DON)	
PAUL; ILENE ENGLISH-PAUL; and)	Action Filed: 8/25/08
DOES 1 through 10, inclusive,)	
Defendants.)	

Plaintiff MATSUNOKI GROUP, INC. dba HAIKU HOUSES (hereinafter
 "Plaintiff") and Defendants TIMBERWORK OREGON, INC., TIMBERWORK, INC.,
 (erroneously sued as "TIMBERWORK OREGON, INC."), EARL MAURY
 BLONDHEIM, DON PAUL, and ILENE ENGLISH-PAUL (collectively, "Defendants")
 (Plaintiff and Defendants are hereinafter referred to, collectively, as "the Parties"), by and
 through their respective counsel agree and stipulate as follows:

RECITALS

1. The Court previously ordered that the Parties complete mediation by
 March 13, 2009, or as soon thereafter as was convenient to the mediator's schedule.

1 2. The Court has appointed Mark LeHocky to act as mediator, and the Parties
2 and Mr. LeHocky initially scheduled mediation to take place on March 25, 2009.

3 3. Thereafter, due to discovery issues and a pending protective order, the Parties
4 stipulated to extend the deadline for Plaintiff and Defendants to engage in mediation to
5 May 29, 2009, or as soon thereafter as the schedules of the Parties, their respective counsel,
6 and Mr. LeHocky, would allow. The Parties scheduled mediation to take place on June 1,
7 2009.

8 4. On March 27, 2009, Timberwork, Inc. noticed the depositions of Plaintiff's
9 corporate officer, Charla Honea, and its Person Most Knowledgeable, to take place on
10 April 13 and 14, 2009, respectively. The notice provided that the depositions would take
11 place in San Francisco, California.

12 5. On March 31, 2009, Plaintiff's counsel objected to the location, claiming that
13 the depositions should take place in Nashville, Tennessee, Plaintiff's principal place of
14 business. After discussions with Plaintiff's counsel, Timberwork's counsel agreed to
15 travel to Nashville, Tennessee to conduct these depositions.

16 6. On April 30, 2009, Plaintiff's counsel advised that their clients are not
17 available for deposition until June 3, 2009, in Nashville, Tennessee.

18 THEREFORE, the Parties hereby stipulate as follows:

19 **STIPULATION**

20 Based on the foregoing recitals,

- 21 1. That the mediation presently scheduled for June 1, 2009, be continued; and
22 2. That the Court extend the deadline for Plaintiff and Defendants to engage in
23 mediation to July 6, 2009, or as soon thereafter as the schedules of the Parties, their
24 respective counsel, and Mr. LeHocky, will allow.

25 IT IS SO STIPULATED.

26 ///

27 ///

28 ///

Respectfully submitted,

DATED: May ___, 2009

LEWIS BRISBOIS BISGAARD & SMITH LLP

By _____
Julian J. Pardini
Alan J. Haus
Rowena C. Seto
Attorneys for Defendants
TIMBERWORK, INC.(erroneously sued as
"TIMBERWORK OREGON, INC.") and
EARL MAURY BLONDHEIM

DATED: May ___, 2009

GORDON & REESE LLP

By _____
Richard P. Sybert
Lindsay J. Hulley
Attorneys for Plaintiff
MATSUNOKI GROUP, INC. dba HAIKU HOUSES

DATED: May ___, 2009

DONAHUE GALLAGHER WOODS LLP

By _____
John C. Kirke
Andrew S. Mackay
Jocelyn M Belloni
Attorneys for Defendants
DON PAUL and ILENE ENGLISH-PAUL

MEDIATOR'S CONCURRENCE

I concur in the above stipulation.

DATED: May ___, 2009

Mark LeHocky
Mediator

ORDER

Based on the foregoing stipulation of the Parties and the Mediator's concurrence,
THE COURT HEREBY ORDERS AND DECREES that the mediation
scheduled in this action to take place on June 1, 2009, be and hereby is **CONTINUED**,
and, further,

THE COURT HEREBY ORDERS AND DECREES that the deadline for
the Parties to engage in mediation be and here is **EXTENDED** to July 6, 2009, or as soon
thereafter as the schedules of the Parties, their respective counsel, and the Mediator, will
allow.

IT IS SO ORDERED.

Dated: May 8, 2009



Claudia Wilken
United States District Judge
Northern District of California